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**IMPORTANT**  
 \*\*\*\*\*  
**FACSIMILE COVER LETTER**  
**NO MAIL BACK-UP**  
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**FAX TO THE FOLLOWING NUMBER: 703-872-9306**

**From:** John C. Holman

**Date:** April 9, 2004

**To:** Examiner Elli PESELEV  
**Name**

U.S. Patent and Trademark Office, Art Unit 1623  
**Organization**

**Re:** Request for Continued Examination with submission for Patent Application with Serial No. 09/615,736

**Our Ref.:** P65773US0

\*\*\*\*\*

**TOTAL NUMBER OF PAGES, INCLUDING COVER LETTER: 13**

**Dear Ms. Peselev:**

Attached please find the Request for Continued Examination and submission in the form of Preliminary Amendment in response to the Final Office Action. Please enter and consider the Amendment.

The undersigned hereby certifies that the attached documents were sent via facsimile to the U.S. Patent and Trademark Office on the noted date.

By John C. Holman  
 Registration No. 22,769

This 9 day of April, 2004

THIS MESSAGE IS INTENDED ONLY FOR THE USE OF THE INDIVIDUAL OR ENTITY TO WHICH IT IS ADDRESSED, AND MAY CONTAIN INFORMATION THAT IS PRIVILEGED, CONFIDENTIAL AND EXEMPT FROM DISCLOSURE UNDER APPLICABLE LAW. IF THE READER OF THIS MESSAGE IS NOT THE INTENDED RECIPIENT, OR THE EMPLOYEE OR AGENT RESPONSIBLE FOR DELIVERING THE MESSAGE TO THE INTENDED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT ANY DISSEMINATION, DISTRIBUTION OR COPYING OF THIS COMMUNICATION IS STRICTLY PROHIBITED. IF YOU HAVE RECEIVED THIS COMMUNICATION IN ERROR, PLEASE NOTIFY US IMMEDIATELY BY TELEPHONE, AND RETURN THE ORIGINAL MESSAGE TO US AT THE ABOVE ADDRESS VIA YOUR POSTAL SERVICE. THANK YOU.

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APR. 9.2004 11:29AM

JACOBSON HOLMAN PLLC

NO.286 P.2

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Horrobin et al Attorney Docket: P65773US0  
Serial No.: 09/615,736 Group Art Unit: 1623  
Filing Date: July 13, 2000 Examiner: Elli PESELEV  
For: PHARMACEUTICAL AND NUTRITIONAL COMPOSITIONS

## TRANSMITTAL

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Transmitted herewith is a Request for Continued Examination with submission of Preliminary Amendment in the above captioned application.

XX Small Entity status of this application under 37 C.F.R. 1.9 and 1.27 has been established by a verified statement previously submitted.

       A verified Statement to establish small entity status under 37 C.F.R. 1.9 and 1.27 is enclosed.

       No additional fee is required.

The fee has been calculated as shown below:

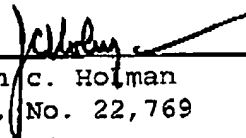
Claims Remaining After Amendment	Highest Number Previously Paid For	Present Extra	Small Entity Rate Addit. (or) Fee	Other Than A Small Entity Rate Addit. Fee
Total 13 -	20 =	0	x09 = \$	x 18 = \$
Indep. 1 -	3 =	0	x43 = \$	x 86 = \$
First Presentation of Multiple Dependent Claim			x145 = \$	x290 = \$
RCE fee required under Under 37 C.F.R. 1.17(e)			\$385.00	
Extension of time fee for 3 months under 37 C.F.R. 1.17			\$475.00	
<u>XX</u> Total Additional Fee			\$860.00	\$
<u>XX</u> Credit Card Payment Form in the amount of <u>\$860.00</u> is attached for RCE Fee and Three-month Extension Fee.				

XX If a Petition for Extension of Time is necessary and the Petition and/or the check is not enclosed, this will act as the Petition and applicant herewith petitions the Commissioner to extend the time for response and charge any fees necessary under 37 CFR 1.17 (a)(1)-(5) to Deposit Account No. 06-1358. The Commissioner is also authorized to charge payment of any other additional fees associated with this communication or credit any overpayment to Deposit Account No. 06-1358. A duplicate copy of this sheet is attached.

JACOBSON HOLMAN, PLLC

Dated: April 9, 2004  
400 Seventh Street, N. W.  
Washington, D.C. 20004-2201  
JCH/JC

By: \_\_\_\_\_

  
John C. Holman  
Reg. No. 22,769